



SS
Section 4
PATENT APPLICATION

Attorney Docket No. 70651-
Date: August 16, 2001 #3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Clark, et al.

Appln No.: 09/864,093

Filed: May 21, 2001

For: FREE-SPACE OPTICAL COMMUNICATION
SYSTEM EMPLOYING WAVELENGTH CONVERSION

CERTIFICATE OF MAILING

I hereby certify that this paper is being
deposited with the United States Postal Service
as first class mail in an envelope addressed
to: Commissioner for Patents, Washington, D.C.
20231, on this date.

8/16/01
Date


Richard E. Wawrzyniak

Registration No. 36,048
Attorney for Applicant(s)

RESPONSE TO NOTICE TO FILE MISSING PARTS

Box MISSING PARTS
Commissioner for Patents
Washington, D.C. 20231

Sir:

In response to the Notice to File Missing Parts dated July 25, 2001
enclosed are:

- (X) A copy of the Notice to File Missing Parts.
- (X) An executed Declaration for Patent Application, including Power of Attorney.
- (X) Assignment(s) of the invention to Lightpointe Communications, Inc., and Recordation Form Cover Sheet - Patents Only - Form PTO-1595.
- (X) A check in the amount of \$ 40.00 to cover the fee for recording the assignment(s).
- (X) Fee Calculation:

Fee Calculation For Claims As Filed

() Provisional Application Basic Fee \$ 150.00 \$ _____
• Surcharge under 37 C.F.R. §1.16(1) \$ 50.00 \$ _____

or



(X) Non-Provisional Utility Application \$710.00 \$ 710.00
Basic Fee

- Independent 6 - 3 = 3 x \$ 80.00 = \$ 240.00
Claims
- Total Claims 50 - 20 = 30 x \$ 18.00 = \$ 540.00
- Fee for Multiply Dependent Claims x \$270.00 = \$
- Surcharge under 37 C.F.R. §1.16(e) x \$130.00 = \$ 130.00

or

() Design Application Basic Fee \$320.00 \$

- Surcharge under 37 C.F.R. §1.16(e) \$130.00 \$

Total Filing and/or Surcharge Fee \$ 1,620.00

(X) Applicants assert that they are entitled to Small Entity Entity status, reducing the Filing Fee by half to: \$ 810.00

() Statement(s) of Status as Small Entity.

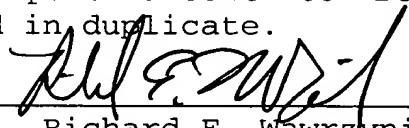
(X) A check in the amount of \$ 810.00 to cover the Filing and/or Surcharge Fee is enclosed.

() Charge \$ to Deposit Account No. 06-1135.

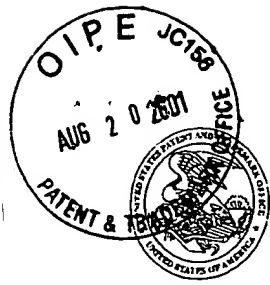
(X) The Commissioner is hereby authorized to charge any additional fees which may be required in this application under 37 C.F.R. §§1.16-1.17 during its entire pendency, or credit any overpayment, to Deposit Account No. 06-1135. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 06-1135. This sheet is filed in duplicate.

August 16, 2001

(Date)


Richard E. Wawrzyniak
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UNITED STATES PATENT AND TRADEMARK OFFICE

COMMISSIONER FOR PATENTS
UNITED STATES PATENT AND TRADEMARK OFFICE
WASHINGTON, D.C. 20231
www.uspto.gov

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
09/864,093	05/21/2001	Gerald R. Clark	70651

22242
FITCH EVEN TABIN AND FLANNERY
120 SOUTH LA SALLE STREET
SUITE 1600
CHICAGO, IL 606033406

CONFIRMATION NO. 1812
FORMALITIES LETTER

OC00000006339833

Date Mailed: 07/25/2001

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

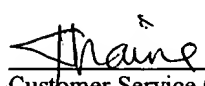
FILED UNDER 37 CFR 1.53(b)

Filing Date Granted

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 710 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$780.
 - \$540 for 30 total claims over 20.
 - \$240 for 3 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- The balance due by applicant is \$ 1620.

A copy of this notice MUST be returned with the reply.


Customer Service Center
Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

08/22/2001 SDENB0B1 00000049 09864093
01 FC:201 355.00 OP
02 FC:202 120.00 OP
03 FC:203 270.00 OP
04 FC:205 65.00 OP